FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1005 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.A.P.Mundergi i/by K.A.Chothani for the applicants.

Mr.Tejas H.Bhatt with Ashish Chavan for Respondent No.1.

Mr.P.S.Hingorani APP for the State.

Coram : R.S.Mohite,J

Date : 27.3.2006.

PC

1. This is an application impugning an order issuing process which has been confirmed in revision. The point which is sought to be argued is that there was no liability and there was no consideration for issuance of the cheque. The reliance was placed on certain orders. The lower Court has relied upon the judgment of the Apex Court in the case of **State of Orissa Vs.Debendra Nath Padhi reported in 2005(1) Crimes 1**

(SC) and concluded that defence documents could not be taken into account. The defence documents contains no admission on the lack of liability on the part of respondent no.1. In this view of the matter, there is no substance in the application. Application therefore, stands rejected.

(R.S.Mohite,J)